

Based on the evidence of the record and being otherwise sufficiently advised, the Commission finds that the Settlement Agreement is in accordance with the law and does not violate any regulatory principle. The Settlement Agreement is a product of arm's-length negotiations among capable, knowledgeable parties, is in the public interest, and results in a reasonable resolution of all issues in this case.

IT IS THEREFORE ORDERED that:

1. The Joint Stipulation of Facts and Settlement Agreement is adopted and approved in its entirety as a complete resolution of all issues in this case.

2. Clark Energy shall pay \$2,500.00 as a civil penalty within 30 days of the date of this Order by cashier's check or money order payable to the Kentucky State Treasurer and mailed or delivered to the Office of General Counsel, Kentucky Public Service Commission, 211 Sower Boulevard, Post Office Box 615, Frankfort, Kentucky 40602.

3. Within 30 days of the date of this Order, Clark Energy shall provide a copy of its prescreening qualifications to the Commission.

4. Beginning with the first full calendar month following the date of this Order, Clark Energy shall begin performing monthly safety audits on all employee and contract crews.¹ Clark Energy shall file a quarterly report of these monthly safety audits with the Commission for the next 12 months.

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¹ Commission Staff and Clark Energy agreed that contract crews for vegetation management that do not break the minimum approach distance contained in the NESC will not have to be audited on a monthly basis. However, Clark Energy should still insure that these crews are trained and follow the safety policies and procedures.